

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference FE01E013WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2003/010655	International filing date (day/month/year) 25 September 2003 (25.09.2003)	Priority date (day/month/year) 26 September 2002 (26.09.2002)
International Patent Classification (IPC) or national classification and IPC B21K 21/12		
Applicant FELSS GMBH		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (sent to the applicant and to the International Bureau) a total of 4 sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 01 April 2004 (01.04.2004)	Date of completion of this report 22 December 2004 (22.12.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/010655

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages _____ 1, 2, 4-6 _____, as originally filed/furnished
- pages* _____ 3, 3a _____ received by this Authority on 07 December 2004 (07.12.2004)
- pages* _____ received by this Authority on _____
- ☒ the claims:
- pages _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* _____ 1-10 _____ received by this Authority on 07 December 2004 (07.12.2004)
- pages* _____ received by this Authority on _____
- ☒ the drawings:
- pages _____ 1/3-3/3 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	1-10	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations

The method according to document GB-A-1472860 (D1) for producing a tubular workpiece, a workpiece with a rectangular shoulder and a device for producing workpieces such as these is considered obvious prior art. According to D1, an original workpiece is first preformed by cold forming; this preformed original workpiece is then finally formed by hot forming into a workpiece with a rectangular shoulder.

The subject matter of independent claims 1, 5 and 6 thus differs from the closest prior art at least in that the method of final forming is cold forming.

Therefore, the subject matter of claims 1, 5 and 6 is novel (PCT Article 33(2)).

The effect of this differentiating feature is that there is no disadvantageous change to the microstructure of the material caused by heating.

The problem to be solved by the present invention can thus be seen as that of preventing a weakening of the wall of the workpiece.

The solution to this problem as proposed in claims 1, 5 and 6 of the present application involves an inventive step. (PCT Article 33(3)).

Document D1 does not give a person skilled in the art any suggestion of reforming a preformed workpiece into a workpiece with a rectangular shoulder by cold forming rather than by hot forming.

Claims 2-4 are dependent upon claim 1 and thus likewise satisfy the PCT requirements with respect to novelty and inventive step.

Claims 7-10 are dependent upon claim 6 and thus likewise satisfy the PCT requirements with respect to novelty and inventive step.